

FILED

JUN 21 2007

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO

UNITED STATES OF AMERICA)
ex rel. Michele Kimball, et al.,)
)
Plaintiffs,)
)
v.)
)
CATHEDRAL ROCK CORPORATION,)
et al.,)
)
Defendants.)

Case No. 4:03CV01090-HEA

FILED UNDER SEAL

ORDER

The United States having intervened in part of this action and having declined to intervene in part of this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the Court rules as follows:

IT IS ORDERED that,

1. the relators' Corrected Complaint filed on September 23, 2004, the Government's Notice of Election to Intervene in Part and to Decline to Intervene in Part, and this Order be unsealed;
2. the United States serve its Complaint In Intervention upon defendants, together with this Order, within thirty (30) days;
3. the relators either seek to dismiss the non-intervened portion of their Corrected Complaint or serve the Corrected Complaint upon defendants within twenty (20) days;
4. all other papers or Orders on file in this matter shall remain under seal;

5. the seal be lifted on all other matters occurring in this action after the date of this Order;


6. as to the part of the action in which the United States has declined to intervene, the parties shall serve all pleadings and motions filed in that part of the action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in that part of the action, for good cause, at any time;

7. all orders of this Court shall be sent to the United States; and that

8. should the relators or the defendants propose that the part of the action in which the United States has declined to intervene be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

IT IS SO ORDERED,

This 21st day of June, 2007.


UNITED STATES DISTRICT JUDGE